

# ASSIGNEE'S SALE

OF RESTAURANT, REAL ESTATE AND  
EQUIPMENT  
EAST OF MT. PLEASANT IN FREDERICK  
COUNTY

By virtue of the power of sale contained in a Mortgage of Whalen Enterprises, Inc., a Maryland Corporation, dated June 12, 1973 and recorded in Liber 915, folio 298, etc., among the Land Records of Frederick County, Maryland, said Mortgage having been assigned to the undersigned Assignee for the purpose of Foreclosure, default having occurred in the terms and conditions of the said Mortgage, the undersigned will offer for sale at the Court House Door in Frederick City, Frederick County, Maryland, on:

**WEDNESDAY, OCTOBER 27, 1976**

**AT 11:00 O'CLOCK A.M.**

all that parcel of land situate along the north side of Maryland Route 26 about one mile east of Mt. Pleasant, Mt. Pleasant Election District, Frederick County, Maryland, containing 1.90 acres of land, more or less, and being the same real estate conveyed in a Deed from Whalen Enterprises, Inc., unto Leatherly Enterprises, Inc. dated December 18, 1974 and recorded in Liber 954, folio 31, one of the Land Records of Frederick County.

The property is improved with a one story Stucco (cement block construction) restaurant building fifty (50) feet by thirty-six (36) feet, flag built-up roof, known as "Smitty's Restaurant"; has two dining rooms with seventy-two (72) persons seating capacity air-conditioned and gas heated, black top parking area. Restaurant equipment includes walk-in refrigeration box, refrigerated display cabinet, large kitchen refrigerator, ice machine, dishwasher, steam table (13 holes), meat block, deep freeze (21 cu. ft.), meat grinder, gas stove-six burners and grill with oven, two (2) other gas stoves, automatic coffee maker, tables and chairs, work tables, three-compartment sink, two (2) electric French fryers, miscellaneous pans, dishes and equipment to operate restaurant.

**INSPECTION:** For more particulars and showing, contact undersigned Assignee.

**POSSESSION:** Immediately upon final settlement.

**TERMS OF SALE:** A deposit of Five Thousand Dollars (\$5,000.00) Dollars in cash or check acceptable to Assignee at time of sale, balance in cash within five (5) days after ratification of sale by the Court. Interest to be paid on unpaid purchase money from date of ratification to date of settlement. Taxes and all public charges to be adjusted to date of settlement. All costs of conveyancing, including documentary and transfer taxes, to be at the expense of the purchaser.

**W. JEROME OFFUTT, Assignee**  
**22 West Second Street**  
**Frederick, Maryland 21701**  
**301-662-8248 or 301-948-5633**

William L. Haugh, Jr. and  
George T. Horman of  
Offutt & Haugh, P.A.  
22 West Second Street  
Frederick, Maryland 21701  
Attorneys

George William Smith, Auctioneer  
New Midway Maryland 21775

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I/We/It hereby acknowledge(s) that  
I/We/It have/has this 27<sup>th</sup> day of October,  
1976, purchased at Public Sale of W. Jerome  
Offutt, Assignee in Equity No. 26587, the  
personal property and real estate situate  
along Maryland Route 26, one mile east of  
Mount Pleasant, Mount Pleasant Election  
District, Frederick County, Maryland, con-  
taining 1.90 acres, more or less for the  
sum of Fifty Thousand  
(\$50,000<sup>00</sup>) Dollars, and I/We/It hereby  
covenant(s) to comply with the terms of  
sale set forth in the attached advertisement  
and announced by the Auctioneer on the day  
of Sale.

WITNESS my/our/its hand(s) and Seal(s)

Francis William Mayhew (SEAL)  
Francis William Mayhew

Audrey Lucile Mayhew (SEAL)  
Audrey Lucile Mayhew

WITNESS:

George Wm. Smith  
George Wm. Smith

Received of Francis William Mayhew and Audrey Lucile Mayhew  
this 27th day of October, 1976 the sum of \$ 5,000.00 as part  
purchase price for the above real estate.

"C. P. of Land"

Filed November 4, 1976

W. Jerome Offutt  
ASSIGNEE  
W. Jerome Offutt